

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA

v.

Case No. 1:25-mj-29

CARLOS ALBERTO SOSA HORELLANA,

a/k/a: "Carlos Alberto Sosa Arellano"

a/k/a: "Carlos Sosa Reyes"

a/k/a: "Carlos Emilio Antunez Sosa"

a/k/a: "Elias Alberto Orantes Sosa"

a/k/a: "Carlos Reyes Sosa"

a/k/a: "Carlos Alberto Antunez Sosa"

a/k/a: "Carlos Sosa-Arellana"

a/k/a: "Carlos Alberto Sosa Orellana"

a/k/a: "Carlos Alberto Orellana Sosa"

Defendant.

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT AND ARREST WARRANT

I, Eric Gibbs, being duly sworn, depose as state:

1. I am a Deportation Officer with the United States Immigration and Customs Enforcement (ICE) in Fairfax County, Virginia. I have been employed with ICE in my current position for more than nineteen years. I have received specialized training and have conducted numerous investigations relating to administrative and criminal violations of the Immigration and Nationality Act and Title 8 of the United States Code.

2. My duties as a Deportation Officer with ICE include investigating administrative and criminal violations of the Immigration and Nationality Act and Title 8 of the United States Code and seeking, when applicable, prosecution and removal of violators. I have received training in general law enforcement, including training in Title 8 and Title 18 of the United States Code.

3. This affidavit is submitted in support of a criminal complaint and an arrest warrant for CARLOS ALBERTO SOSA HORELLANA, an alien who was found in the United States after being denied admission, excluded, deported, or removed, or having departed the United States, while an order of exclusion, deportation, or removal was outstanding, whose removal was subsequent to a conviction or commission of an felony, in violation of Title 8, United States Code, Section 1326(a) and (b)(2). This affidavit is also submitted in support of an arrest warrant.

4. The facts and information contained in this affidavit are based upon my training and experience, personal knowledge, and observations during this investigation, as well as the observations of other agents involved in this investigation. This affidavit contains information necessary to support probable cause and is not intended to include each and every fact and matter observed by me or known to the United States.

SUMMARY OF FACTS TO SUPPORT PROBABLE CAUSE

5. On or about October 7, 2024, ICE learned that SOSA HORELLANA had been detained at the Rappahannock Regional Jail in Stafford, Virginia, within the Eastern District of Virginia.

6. ICE performed records checks which confirmed that SOSA HORELLANA is a native and citizen of Honduras who was removed from the United States on or about December 5, 2004, at or near Houston, Texas and again on or about November 13, 2009, at or near San Antonio, Texas. SOSA HORELLANA did not have legal authorization to reenter or remain in the United States.

7. On November 6, 2024, ICE Deportation Officer William Allen, Jr. asked the ICE Homeland Security Investigations (HSI) Forensic Laboratory to compare fingerprints on file for SOSA HORELLANA's arrest by Stafford County Sheriff's Office on September 28, 2024, with

SOSA HORELLANA's fingerprints from his immigration file, including the Immigration Service Form I-205's executed on December 5, 2004, and November 13, 2009. On November 7, 2024, the ICE HSI Forensic Laboratory successfully matched all the submitted fingerprints to SOSA HORELLANA.

8. I reviewed SOSA HORELLANA's immigration file maintained by U.S. Citizenship and Immigration Services. The file, also known as an alien file, revealed that SOSA HORELLANA is a citizen and national of Honduras. The file contained two executed Immigration Service Form I-205's, Warrants of Removal/Deportation, bearing SOSA HORELLANA's photograph, fingerprint, and signature. The forms showed that SOSA HORELLANA was removed from the United States on or about December 5, 2004, from Houston, Texas and again on or about November 13, 2009, from San Antonio, Texas.

9. SOSA HORELLANA's alien file lacks evidence of any immigration benefit, document, or status that would allow him to legally enter, be admitted, pass through, or reside in the United States. Further, SOSA HORELLANA has not obtained permission from the Attorney General of the United States or the Secretary of the Department of Homeland Security to reenter the United States following his formal removal.

10. As part of this investigation, I reviewed SOSA HORELLANA's criminal history. SOSA HORELLANA's criminal history reflects an aggravated felony conviction in the Richmond City Circuit Court in Richmond, VA. More specifically, on or about July 17, 2007, SOSA HORELLANA was convicted of two counts of Rape in violation of Code of Virginia 18.2-61(iii) and was sentenced to 40 years of imprisonment for each count.

CONCLUSION

11. Based on the foregoing, I submit that there is probable cause to believe that on or about October 7, 2024, in Stafford, Virginia, within the Eastern District of Virginia, CARLOS ALBERTO SOSA HORELLANA, an alien who had been arrested and deported from the United States on or about December 5, 2004, at Houston, Texas and again on or about November 13, 2009, at San Antonio, Texas, did knowingly and unlawfully re-enter the United States and was found in the United States, within the Eastern District of Virginia, subsequent to a conviction for an aggravated felony, without having obtained the express consent of the Attorney General of the United States or the Secretary of the Department of Homeland Security to reapply for admission to the United States.

Respectfully submitted,



Eric Gibbs
Deportation Officer
U.S. Immigration and Customs Enforcement

Attested to by the applicant in accordance
with the requirements of Fed. R. Crim. P. 4.1
by telephone on January 29, 2025:

Lindsey R Vaala Digitally signed by Lindsey R Vaala
Date: 2025.01.29 10:17:13 -05'00'

The Honorable Lindsey R. Vaala
United States Magistrate Judge
Alexandria, Virginia